

**TUNG &
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Intellectual Property Law

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Date: Aug. 20, 2004

TO: Petition For Revival

FAX Operator: Kathy Dixon

FAX Number: (248) 540-4035

Telephone Number: (248) 540-4040

Subject Matter: 10/ 063,151 Attorney Doc: 201-0171 (031)

Message:

Total number of pages sent: - 15 - (including this cover sheet)

PTO/SR/51 (11-03)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

201-0171 CLH (031)

First Named Inventor:

Hemant S. Shah

Art Unit:

2837

Application Number:

10/063,151

Examiner:

Miller, Patrick L

Filed:

March 26, 2002

Title:

Fan Shroud with Built In Noise Reduction

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☐ Small entity -- fee \$_____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity -- fee \$ 110.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of
mailing (identify the type of reply):

☒ has been filed previously on 05/09/2002

☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been filed previously on _____

☐ is enclosed herewith.

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/61 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

8/20/04

Date



Signature

9248) 540-4040

Telephone Number

Randy W. Tung

Typed or printed name

31,311

Registration Number, if applicable

838 W. Long Lake

Address

Suite 120

Bloomfield Hills, MI 48302

Address

- Enclosure ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☐ _____

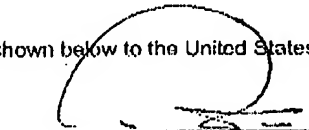
CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

8/20/04

Date



Signature

R. TUNG

Typed or printed name of person signing certificate

PTO/SB/01 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

8/10/04

Date

31,311

Registration Number, if applicable

[Signature]
Signature

Randy W. Tung

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

See attached petition with enclosures

(Please attach additional sheets if additional space is needed.)

[Page 3 of 3]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

Hemant S. Shah

Art Unit:

2837

Application No.: 10/063,151

Examiner: Miller, Patrick L.

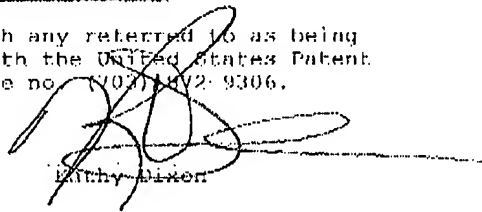
Filed: March 26, 2002

For: Fan Shroud With Built In Noise Reduction

Attorney Docket: 201-0171 CLH (031)

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AUG 20 2004
OFFICIALCertificate of Facsimile Transmission

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Patent Office on the date shown below via facsimile no. (703) 492-9306.

Date: Aug. 20, 2004
Kathy DixonPETITION TO REVIVE UNDER 37 CFR 1.137(a) BASED ON
UNAVOIDABLE ABANDONMENTCommissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

The practitioner respectfully requests the revival of the above-captioned abandoned application.

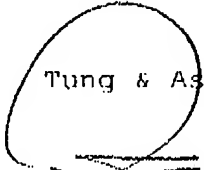
The application was abandoned for failure to respond to a Notice Of Drawing Inconsistency With Specification mailed 05/18/2004 (attached herewith). However, upon examination of the application file, it was discovered that a preliminary amendment was filed by the Applicant's representative on 05/09/2002 (attached herewith), which was received and scanned by the USPTO on 05/14/2002, which achieved what was requested in the Notice Of Drawing Inconsistency With Specification.

U.S.S.N. 10/063,151

The Applicants hereby attach five pages of their docket book covering the period of 05/17/2004 through 06/20/2004, showing that the 05/18/2004 notice was not received by the Applicants.

The Commissioner is hereby authorized to charge Deposit Account No. 06-1510 the fee for this petition.

A revival of this application is respectfully solicited from the Director.


Tung & Associates

Randy W. Tung
Reg. No. 31,311
(248) 540-4040

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